

**STATE OF RHODE ISLAND  
BEFORE THE RHODE ISLAND ETHICS COMMISSION**

In re: Natalia Rosa-Sosa  
Respondent

Complaint No. NF2014-3

**DECISION AND ORDER OF THE ETHICS COMMISSION**

This matter was adjudicated before the State of Rhode Island Ethics Commission (“Commission”) on June 16, 2015, pursuant to R.I. Gen. Laws § 36-14-13 and § 42-35-9 and Commission Regulation 1015. The following Commissioners were present for the adjudicative hearing and participated in the deliberations and rendering of this Decision and Order: Ross Cheit, Chair; James V. Murray; Timothy Murphy; Marisa A. Quinn; Frederick K. Butler; and M. Therese Antone.

Amy C. Stewart, staff attorney for the Commission, prosecuted the case. The Respondent did not appear. Edmund L. Alves, Jr. attended all proceedings as legal counsel for the Commission.

**TRAVEL OF THE CASE**

On November 5, 2014, Gary V. Petrarca, Commission Investigator, filed a Complaint with the Commission. The Complaint alleged that the Respondent violated § 36-14-16 by failing to timely file an annual Financial Disclosure Statement for the 2013 calendar year.

Pursuant to § 36-14-12(c)(4) and Commission Regulation 1006, the Commission conducted a probable cause hearing in this matter on March 24, 2015. The Respondent was provided notice of the hearing by regular mail on March 9, 2015. The Respondent did not appear. After considering the Complaint, the Investigative Report and the arguments of counsel, the Commission unanimously adopted the following finding of probable cause:

That there is probable cause to believe that the Respondent, Natalia Rosa-Sosa, violated Rhode Island General Laws § 36-14-16 by failing to timely file a 2013 Financial Disclosure Statement with the Rhode Island Ethics Commission.

The Respondent was provided notice of the adjudicative hearing by both regular and certified mail on May 26, 2015. As of the morning of June 16, 2015, United States Postal Service tracking records indicated that the certified mail adjudication notice was unclaimed and would be returned to the Ethics Commission. The regular mail adjudication notice was not returned to the Commission as undeliverable.

The adjudicative hearing was conducted during the open session of the Ethics Commission meeting held on June 16, 2015. A stenographer was present during the entirety of the proceeding. The Respondent did not appear or offer any evidence. The Prosecution offered evidence through the affidavits of Michelle Berg, Commission Administrative Officer, and Steven Cross, Commission Chief of Investigations.

At the conclusion of the adjudicative hearing, the Commission deliberated and, by a unanimous vote of 6-0, found that the Respondent committed a knowing and willful violation of § 36-14-16; and the Commission, by an unanimous vote of 6-0, imposed a civil penalty in the amount of One Thousand Five Hundred (\$1,500.00) Dollars for said violation.

### **FINDINGS OF FACT**

Based upon the uncontroverted evidence presented by the Prosecution in this matter, the Commission hereby makes the following findings of fact:

1. On January 14, 2014, the Commission received a certified list of appointed and elected officials from the Providence City Clerk which reflected that the Respondent was a member of the Providence School Board during calendar year 2013.

2. The Providence City Clerk list reflected a mailing address for the Respondent of 78 Woodbine Street, Providence, RI 02906.
3. On or about March 21, 2014, a blank 2013 Financial Disclosure Statement form, instructions and information relative to online filing were mailed to the Respondent at her designated address of 78 Woodbine Street, Providence, RI 02906.
4. The Commission did not receive a 2013 Financial Disclosure Statement from the Respondent by the statutory deadline of April 25, 2014.
5. On or about June 10, 2014, a reminder email indicating that the Commission had not received her 2013 Financial Disclosure Statement was emailed to the Respondent at natalia.rosa027@gmail.com, an email address that was previously provided to the Commission by the Respondent.
6. On or about August 29, 2014, a reminder notice indicating that the Commission had not received her 2013 Financial Disclosure Statement was mailed to the Respondent at her designated address of 78 Woodbine Street, Providence, RI 02906.
7. On or about September 2, 2014, a second reminder email indicating that the Commission had not received her 2013 Financial Disclosure Statement was emailed to the Respondent at natalia.rosa027@gmail.com.
8. Neither the March 2014 mailing nor the August 2014 mailing was returned to the Commission as undeliverable.
9. On December 12, 2014, the certified mailing of the instant Complaint, addressed to the Respondent at 78 Woodbine Street, Providence, RI 02906, was returned to the Commission Office as unclaimed after the United States Postal Service attempted to effectuate delivery on the following dates: November 7, 2014; November 10, 2014; and November 22, 2014.

10. Around 4:00 p.m. on December 12, 2014, Investigator Cross responded to 78 Woodbine Street, Providence, RI 02906. At 4:25 p.m., he observed a female exiting a vehicle that had parked in the driveway at 78 Woodbine Street. Investigator Cross approached this woman on the front porch of 78 Woodbine Street and identified himself as Chief of Investigations for the Commission. He asked this woman if she was the Respondent. The woman informed that the Respondent was her daughter. The Respondent's mother stated that the Respondent did not live at 78 Woodbine Street. She declined to give Investigator Cross the Respondent's address. Investigator Cross gave a sealed Complaint package to the Respondent's mother and asked her to deliver it to the Respondent.
11. On December 16, 2014, the Respondent came to the Commission office and met with Staff Attorney Stewart and Investigator Cross. The Respondent arrived with the Complaint package which she stated was delivered to her by her mother.
12. On December 16, 2014, while at the Commission office, the Respondent completed and filed a 2013 Financial Disclosure Statement. In response to a question from Investigator Cross, she stated that her current mailing address was 104 Home Avenue, Providence, RI 02909. She also listed this address on her 2013 Financial Disclosure Statement.
13. The Respondent's updated address of 104 Home Avenue, Providence, RI 02909 was entered into the Commission's database and records, and all future correspondence was sent there.
14. At the end of the December 16, 2014 meeting with the Respondent, she stated to Investigator Cross that she wanted to speak with an attorney and then would get back to him later that day or the next day.

15. On December 17, 2014, Investigator Cross spoke to the Respondent on the telephone. The Respondent told Investigator Cross that she was on her way to meet her attorney and that she would call him back after her meeting.
16. On January 8, 2015, having not heard from the Respondent since December 17, 2014, Investigator Cross called the Respondent, but there was no answer. Investigator Cross did not leave a voicemail because the Respondent's voice-mailbox was full.
17. On June 8, 2015, Investigator Cross called the Respondent and left her a voicemail regarding the notice of the adjudicative hearing which had been previously sent to her on May 26, 2015.
18. As of the date of the adjudicative hearing, Investigator Cross had not spoken with or been contacted by the Respondent since December 17, 2014.

### **CONCLUSIONS OF LAW**

Upon consideration of the Findings of Fact set forth herein, and the argument presented at hearing, the Commission concludes the following as a matter of law:

1. As an appointed member of the Providence School Board during calendar year 2013, the Respondent was, at all times relevant, a municipal appointed official subject to the Rhode Island Code of Ethics in Government, pursuant to R.I. Gen. Laws § 36-14-4(2).
2. Given that, as a member of the Providence School Board, she exercised decision-making authority over the expenditure of more than fifty thousand dollars in public funds in any fiscal or calendar year, the Respondent was required to file a 2013 Financial Disclosure Statement on or before the statutory deadline of April 25, 2014, pursuant to R.I. Gen. Laws § 36-14-16(a)(5).

3. By failing to timely file a 2013 Financial Disclosure Statement with the Commission, the Respondent committed a violation of R.I. Gen. Laws § 36-14-16.
4. The Respondent's violation of R.I. Gen. Laws § 36-14-16 was knowing and willful.

Therefore, based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby

**ORDERED ADJUDGED AND DECREED**

1. That the Respondent committed a knowing and willful violation of R.I. Gen. Laws § 36-14-16 by failing to timely file a 2013 Financial Disclosure Statement with the Rhode Island Ethics Commission; and
2. That Respondent, pursuant to R.I. Gen. Laws § 36-14-13(d)(3), shall pay a civil penalty of One Thousand Five Hundred (\$1,500.00) Dollars for her violation of R.I. Gen. Laws § 36-14-16.

Entered as an Order of the Rhode Island Ethics Commission this 25<sup>th</sup> day of June, 2015.



Ross Cheit, Chair  
Rhode Island Ethics Commission

**CERTIFICATION**

I, Tracy A. Teixeira, hereby certify that on the 25<sup>th</sup> day of June, 2015, I caused a true copy of the within Decision and Order to be forwarded by first-class mail, postage prepaid, to Natalia Rosa-Sosa, 104 Home Avenue, Providence, RI 02909.



### **NOTICE OF APPELLATE RIGHTS**

THIS DECISION AND ORDER CONSTITUTES A FINAL ORDER OF THE RHODE ISLAND ETHICS COMMISSION PURSUANT TO R.I. GEN. LAWS § 42-35-15. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT FOR PROVIDENCE COUNTY WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION AND ORDER. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A COMPLAINT IN SUPERIOR COURT. A COPY OF THE COMPLAINT MUST BE SERVED UPON THE COMMISSION WITHIN TEN (10) DAYS AFTER IT IS FILED IN COURT; PROVIDED, HOWEVER, THAT THE TIME FOR SERVICE OF THE COMPLAINT MAY BE EXTENDED BY ORDER OF THE COURT FOR GOOD CAUSE. THE FILING OF THE COMPLAINT ITSELF DOES NOT STAY ENFORCEMENT OF THIS ORDER. THE COMMISSION MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.